IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition (M/S) No. 649 of 2006.

Smt. Savitri Kapil, W/O and legal heir of Late Shri Ram Chandra Kapil, Kapil Bhawan, Gandhi Colony, Bhowali (Nainital) 263132.

… **Petitioner.**

Vs.

1. State of Uttaranchal through S.H.O. Police Station Bhowali, Nainital.
2. Smt. Neeru Pandey, W/O and legal heir of late Sri Jagmohan Chandra Pandey, Tourist Hotel Building, Behind Dak Bungalow Road, Bhowali (Nainital).

…**Respondents.**

None appeared for the petitioner.
Sri Atul Bansal, brief holder for the State- respondent no.1.
Sri Rajesh Joshi, learned counsel for the respondent no.2.

Date August 22, 2006
P.C.: Hon'ble B.S. Verma, J.

Learned counsel for the respondent no.2, Sri Rajesh Joshi, has stated at the Bar that in compliance of Court order, the possession has been delivered to respondent no.2 through police help and a Counter Affidavit has already been filed to this effect.

The present writ petition has been filed against the order dated 27-5-2006 and subsequent orders dated 2.6.2006 and 3.6.2006 by which the warrant of possession had been issued by the Prescribed Authority in Rent Control Case No. 2 of 1990 Jagmohan Vs. Ram Chandra Kapil on the ground that the proceedings under Section 21(1)(a) of the U.P. Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972 had become final. Parties to the proceedings contested the case up-to the Apex Court.

In view of the above facts, the writ petition has become infructuous. The writ petition is dismissed as having become infructuous.

(B.S.Verma,J.)

RCP